

Opening Statement
Chairman Dan Burton
Subcommittee on Human Rights & Wellness
Government Reform Committee
**“10 Years After the Implementation of DSHEA:
The Status of Dietary Supplements in the United States”**
March 24, 2004

The Subcommittee is convening today to discuss the Federal government’s implementation and status of the Dietary Supplement Health Education Act of 1994, commonly referred to as DSHEA. To aid us in this dialogue, the Subcommittee will be hearing from the U.S. Food and Drug Administration, dietary supplement industry leaders, medical professionals, and policy researchers regarding the impact of this law in the United States.

I, along with millions of Americans, firmly believe that dietary supplements have been shown through research and historical use to be of immeasurable benefit to human health.

That is why I proudly serve as Co-Chairman of the Complementary and Alternative Medicine Caucus in Congress, along with my colleague Representative Dennis Kucinich of Ohio here in the House, and Senators Orrin Hatch of Utah and Tom Harkin of Iowa who have been true champions on these issues in the other body.

Given this role, as well as my duties here as the Chairman of the Subcommittee on Human Rights and Wellness, I am particularly concerned with the status and

implementation of the Dietary Supplement Health Education Act of 1994. This legislation has provided the framework for how the Federal government ensures the safety and efficacy of dietary supplements sold in the United States.

Prior to DSHEA, dietary supplements were treated and regulated as food products. Seeing a need for the Federal government to address the American consumer's growing interest in dietary products and public safety, Congress overwhelmingly passed the Dietary Supplement Health and Education Act to make certain that all dietary health products sold in the United States are held to the highest and safest quality standards.

This legislation ensures the safety of dietary supplements by requiring manufacturers to follow standards called "Good Manufacturing Practices," or GMPs. Essentially, all ingredients in supplements sold in the United States must be previously approved by the FDA and listed on the bottle label, and distributors must follow strict guidelines on any claims that are made in regard to a particular product – to provide consumers with the most accurate information on supplements. Additionally, if at any time the FDA decides that a particular product or dietary ingredient is detrimental to human health, it reserves the right to have those items removed from the marketplace.

Now that we have reached the 10th Anniversary of the enactment of this legislation, I found it necessary to conduct an oversight hearing to ensure that our Federal health agencies and the dietary supplement industry have maintained the integrity of this Act so that Congress might consider ways in which the Act could be improved, and

educate American consumers to the latest developments in dietary supplement policy and nutritional labeling practices.

To explain in greater detail the status of DSHEA's implementation on the Federal government level, the Subcommittee has the pleasure of hearing testimony from the Honorable Robert Brackett, M.D., and Director of the Center for Food Safety and Applied Nutrition (CFSAN) with the U.S. Food and Drug Administration. As Director of CFSAN, Dr. Brackett is directly responsible for overseeing the day-to-day implementation of DSHEA in the U.S.

To provide insight into how DSHEA has affected the dietary supplement industry, the Subcommittee will be hearing from a good friend of mine, Mr. David Seckman, Chairman & CEO of the National Nutritional Foods Association (NNFA), on these matters. Founded in 1936, the NNFA is the Nation's oldest and largest trade association in the natural products industry, and they represent over 5,000 retailers, manufacturers, suppliers, and distributors of health-related products.

The Subcommittee will also be hearing testimony on the impact of DSHEA from Ms. Annette Dickinson, President of the Council for Responsible Nutrition, which represents many suppliers, manufacturers, and marketers of dietary supplements in the United States.

In today's rapidly changing health care delivery system, many medical practitioners have combined traditional medical treatments with complementary and alternative medicine to create the discipline of "integrative medicine" in an effort to give more complete healthcare to their patients.

Dr. Marc Micozzi (Mick-koh-zee), Director of the Policy Institute for Integrative Medicine (PIIM) at Thomas Jefferson Hospital in Philadelphia, Pennsylvania, will testify before the Subcommittee on the current research of the PIIM, and how DSHEA has played a successful role in the integrative care of many American patients. The Subcommittee will also hear from Mr. Alan Dumoff (Doom-off) of the American Association for Health Freedom on these most important issues.

As I stated before, dietary supplements have been shown through credible scientific research to provide substantial health benefits for their users. Mr. Doug Rose, a good friend and private businessman from my home State of Indiana, is here to discuss his experiences about the potential health benefits of folic acid, and how this supplement may decrease the likelihood of birth defects in children, such as Spina Bifida (Spine-uh, Bih-fid-uh).

From my own personal experience and observations over the last decade, the FDA's implementation and execution of DSHEA has generally provided the dietary supplement industry with the increased opportunity for competition, as well as easier

access to safe health products for the millions of American consumers like me who use these supplements to maintain and improve their health.

While no government program is perfect, I would like to congratulate all of the men and women at the U.S. Department of Health and Human Services for their hard work over the years to put into place and strengthen the principles originally outlined in DSHEA ten years ago.

It is my sincere hope that this hearing will help point out the positive effects of the Dietary Supplement Health and Education Act, while at the same time providing suggestions from our witnesses that could further improve this program to better accommodate U.S. health policy makers and supplement consumers many more years to come. Once again, I look forward to hearing from today's witnesses.